Remarks

Claims 1, 2 and 4 to 7 remain in this application.

The claims of the application have been carefully amended and are believed to be in conformance with the provisions of 35 USC 112.

Page 17 of the Description has been amended to render the objection to "voice prints" and "voice features" moot.

A separate letter is being submitted herewith with a corrected drawing to delete reference to "ASR".

The Examiner has questioned claim 5 in stating that it is not clear how the spoken response can match both the challenge phrase and the validation. In accordance with claim 5, after a user has been initially identified and the "first signal" has been generated, a challenge phrase (e.g. "Mary had a little lamb") is generated and the user speaks the phrase. Next, the spoken words are processed (1) to verify that the spoken words are in fact "Mary had a little lamb" and not some other words and (2) to validate the spoken words as coming from the identified user stored in the second data base by comparing, e.g. a voice print of the spoken words with the voice print (i.e. biometric model) of the identified user stored in the second data base.

The Examiner alleges that the original disclosure is entirely silent on the issue of whether the speech recognition is automatic and therefore alleges that the addition of "automatic speech recognition" introduces new matter. Issue is taken in this respect.

If the original disclosure is not automatic, what else could it be? The steps of the process and the equipment used (e.g. a data base of words, a data base for biometric

7

models of users) cannot be performed manually but must be performed in a computerized system.

The industry term 'automatic speech recognition' is used synonymously with speech recognition when referring to a computerized system.

Reconsideration of the rejection of claims 1, 2 and 4 to 7 as being anticipated by Kanevsky is requested.

Claim 1 requires "a first data base having a plurality of words and language rules for generating one-time challenge phrases". The Examiner alleges that Kanevsky has "a database having a plurality of words and language rules for generating one-time challenge phrases". Issue is taken in this respect. Kanevsky, at column 6, lines 25-29 does not state that a *one-time phrase* is generated but, instead, states that specific information from the identified user's database is utilized to generate a random question (or multiple random questions). Kanevsky asks for non-exact answers to questions based on information maintained about the user. For example, Kanevsky might look at the information on the user's data base and ask, where did you attend college? The user could answer the question as 'Rutgers College' or 'The State University of Rutgers'. Kanevsky does not generate random challenge phrases but instead generates questions based upon previously stored information regarding a user. Applicant's invention purposely avoids collecting 'identity' information about the user in a database. Applicant's invention is a different application intended to solve security/privacy access in a completely different way.

Further, claim 1 requires "a controller to receive and validate said signal as representative of the user, said controller communicating with said first data base for

8

randomly generating a one-time challenge phrase...and delivering said one-time challenge phrase to said station **for the user to speak ...**". <u>Kanevsky</u> does not describe or teach such a system. Specifically, <u>Kanevsky</u> does not require the user to speak the question.

For the above reasons, a rejection of claim 1 as being anticipated by <u>Kanevsky</u> is not warranted by the provisions of 35 USC 102(b).

Claim 1 further requires " a controller ... to receive a spoken response ... and to generate a second signal representative of the spoken response, **to process said second signal for speaker recognition** and to issue a first validation signal in response to a match between said second signal and said stored biometric model, **to process said second signal for speech recognition** and to issue a second validation signal in response to a match between said second signal and said one-time challenge phrase". <u>Kanevsky</u> does not describe or teach such a structure. Instead, <u>Kanevsky</u> processes the answer through ASR 28 (col. 6, lines 34 to 65) and separately processes a user voice sample through a text-independent speaker recognition model 52 (col. 6, line 66 to col. 7, line25). For this additional reason, a rejection of claim 1 as being anticipated by <u>Kanevsky</u> is not warranted by the provisions of 35 USC 102(b).

Method claim 2 requires the step of "generating and delivering a randomly generated one-time challenge phrase... for the user to speak ...". As noted above, <u>Kanevsky</u> is void of such a step, inter alia, the user does not repeat the question.

Claim 2 further requires the steps of "generating a second signal representative of a spoken response to said challenge phrase; thereafter receiving and **simultaneously** processing the second signal for speaker verification and for speech

9

recognition and issuing a first validation signal in response to speaker verification and a second validation signal in response to speech recognition". <u>Kanevsky</u> is void of such steps.

Accordingly, a rejection of claim 2 as being anticipated by <u>Kanevsky</u> is not warranted by the provisions of 35 USC 102(b).
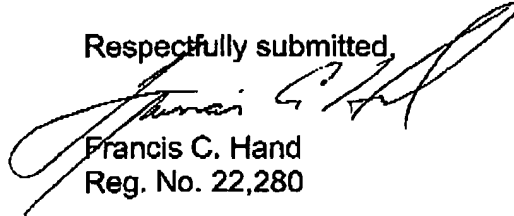
Claim 4 contains recitations similar to claim 1 and is believed to be allowable for similar reasons.

Claim 5 contains recitations similar to claim 2 and is believed to be allowable for similar reasons.

Claims 6 and 7 depend from claims 5 and 2, respectively and are believed to be allowable for similar reasons.

The application is believed to be in condition for allowance and such Is respectfully requested.

Respectfully submitted,

Francis C. Hand
Reg. No. 22,280

CARELLA, BYRNE BAIN, GILFILLAN,
  CECCHI, STEWART & OLSTEIN
5 Becker Farm Road
Roseland, NJ 07068
Phone: 973-994-1700
Fax: 973-994-1744

10